

Remarks

Claims 1-5, 7, 9-13, 15, and 17-24 are pending in the application. Claims 1-5, 7, 9-13, 15, and 17-24 are rejected. Claim 9 is objected to. Claims 1, 4, 7, 9, 12 and 15 are amended herein. Claims 19-24 are cancelled herein. All rejections are respectfully traversed. No new matter is added.

Claim 9 is objected to because of formalities. Claim 9 is amended herein to overcome the objection.

Claims 1, 4, 7, 9, 12 and 15 are amended to more distinctly claim the invention. Claims 19-24 are cancelled herein without prejudice or disclaimer and only to expedite prosecution of the application to allowance.

Claims 1-4, 9-12, and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amro, et al., (U.S. 7,072,939 – “Amro”), in view of Flanagan, et al., (U.S. 6,128,661 – “Flanagan”).

The Applicants’ arguments in response to the office action mailed on December 20, 2006 are incorporated herein by reference in their entirety.

Independent claims 1 and 9 are amended in response to the Examiner’s clarification and courteous explanation in paragraph 22 in the “Response to Arguments” section. The claims now recite mobile computing devices in direct wireless communication to create the list, as opposed to the use of an intermediary device described in Amro. Further, it should now be

understood that the list is populated from the direct wireless communication of the broadcast and the response(s) to the inquiry message.

Further, the Independent claims are amended to clarify that the particular according to claim 1 (or first according to claim 9) mobile communications device either prompts or selects automatically based on the received selection of mobile communications device(s). The claim is no longer stated as being in the alternative, rather based on a particular received selection. The references, alone or in combination fail to explicitly teach, or even suggest the claimed actions in response to a received selection.

The dependent claims inherit the limitations of the Independent claims and therefore are patentable over the combination of Amro and Flanagan for at least the reasons asserted above.

It is believed that this application is now in condition for allowance. A notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's attorney at the number listed below. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-6350.

Respectfully submitted,
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